

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

THE ESTATE OF EMILY ANN)	
HARRISON, Deceased, by)	
Maranda Campbell, Personal)	
Representative and M.R.H., a minor,)	
by her Guardians, Alice Harrison and)	
Maranda Campbell,)	
Plaintiffs)	
)	
v.)	Cause No.
)	
DR. KIMBERLY A. HESS,)	
DR. DANIEL LOTT and)	
NORTHSHORE HEALTH)	
CENTERS, INC.,)	
Defendants)	

COMPLAINT FOR MEDICAL MALPRACTICE

Plaintiffs, The Estate of Emily Ann Harrison, deceased and M.R.H., a minor, by her Guardians, Alice Harrison and Maranda Campbell, state the following claims of medical negligence against defendants, Dr. Kimberly A. Hess, Dr. Daniel Lott and NorthShore Health Centers, Inc.:

1. Emily Ann Harrison was an adult female, pregnant and living in Porter County, Indiana on September 23, 2012.

2. On September 23, 2012, Emily Ann Harrison began hemorrhaging and passed out at her home in Chesterton, Indiana.

3. Emily Ann Harrison was rushed to Porter Memorial Hospital where she underwent an emergency Cesarean section.

4. On September 20, 2012, three (3) days before she died, Dr. Hess and Dr. Lott were informed by Dr. Howard Grundy that Emily Ann Harrison had an increased risk of accreta, yet both doctors failed to notify the patient or schedule an emergency C-section and these failures, and others, breached the standard of care in the care and treatment of Emily Ann Harrison and ultimately M.R.H..

5. Dr. Kimberly A. Hess and Dr. Daniel Lott are employees of an entity known as NorthShore Health Centers who may have medical malpractice coverage under the Federal Tort Claims Act and may be deemed public health service employees pursuant to the Federally Supported Health Centers Assistance Act, 42 U.S.C. § 233(g).

6. NorthShore Health Centers, Inc. was deemed eligible for Federal Tort Claims malpractice coverage.

7. On July 22, 2014, the plaintiffs filed a Standard Form 95, Claim for Damage, Injury or Death by certified mail. To date there has been no response by the United States Department of Health and Human Services.

8. At all relevant times, Dr. Lott, Dr. Hess and other skilled agents, employees and personnel of NorthShore Health Centers, Inc. were acting in the scope of their agency and employment relationship with NorthShore in their caring for and treatment of Emily Ann Harrison and her daughter, M.R.H., NorthShore Health Centers, Inc. breached the applicable standards of care.

9. Both doctors breached the standard of care and the prenatal advice and care rendered to Emily Ann Harrison and ultimately her daughter, M.R.H..

10. Furthermore, Dr. Lott breached the standard of care during the emergency C-section.

11. All breaches in the standard of care mentioned above were the responsible causes of Emily Ann Harrison's death and injuries to the minor child, M.R.H..

12. As a direct and proximate result of the defendants' acts and omissions, Emily Ann Harrison died and M.R.H. suffered severe and permanent injuries and disabilities which will effect and continue to affect her ability to enjoy life, has suffered and will continue to suffer in the future great pain, emotional distress and mental trauma, and has incurred and will continue to incur in the future reasonable medical and related expenses and has lost and will continue to lose her ability to earn income in the future.

WHEREFORE, plaintiffs, by counsel, requests judgment against the defendants for all damages, related expenses, costs, attorneys' fees and for all other just and proper relief.

NEWBY, LEWIS, KAMINSKI & JONES, LLP

By 

David P. Jones, #17393-64

Attorney for Plaintiffs

DEMAND FOR TRIAL BY JURY

Plaintiffs, The Estate of Emily Ann Harrison, deceased and M.R.H., a minor, by her Guardians, Alice Harrison and Maranda Campbell, by counsel, demand trial by jury.

NEWBY, LEWIS, KAMINSKI & JONES, LLP

By  _____

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